IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 8TH AUGUST 2007 / 17TH SRAVANA 1929

WP(C).No. 24094 of 2007(S)

PETITIONERS:
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1. GEORGE VATTUKULAM, S/O JOSEPH,
AGED 45 YEARS, VATTUKULAM HOUSE,
R.V.PURAM P.O., KOTTUMUKKU,
THRISSUR DISTRICT.

2. P.V.RAPHAEL, S/O K.R.VARKEY,PATHADAN HOUSE,
AGED 47 YEARS, ELAVOOR,
ANGAMALY, ERNAKULAM DISTRICT.

3. S.N.ASHOKAN, S/O NARAYANAN,
AGED 45 YEARS, SRAMBIKAL HOUSE,
ELAVOOR, ANGAMALY, ERNAKULAM DISTRICT.

BY ADV. SRI.EGY.N.ELIAS
SRI.PREMSON PAUL

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY, DEPARTMENT OF GENERAL EDUCATION,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.

3. THE DIRECTOR,
STATE COUNCIL OF EDUCATION,
RESEARCH AND TRAINING, POOJAPPURA,
THIRUVANANTHAPURAM.

BY SPL. GOVERNMENT PLEADER SRI.MUHAMMAD RAFIQ.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN, J.

W.P.(C) No. 24094 of 2007-S

Dated this the 8th day of August, 2007.

J U D G M E N T

H.L.Dattu, C.J.

The petitioners before us are public spirited persons. They seek the following reliefs:

> (i) to issue a writ of mandamus, order or direction to respondents to introduce training in swimming as compulsory for school students all over Kerala.
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> (ii) to issue a writ of mandamus or direction to Ist respondent to consider and pass orders on Ext.P3 representation after hearing the petitioners.

(2.) At the time of hearing of this writ petition for admission, learned counsel appearing for the petitioners very fairly submits that, at present this court may direct the first respondent to consider Ext.P3 representation filed by the first petitioner dated 01-06-2007.

(3). In our opinion, if the request of the learned counsel for the petitioners is accepted and a direction is issued to the first respondent herein, no prejudice will be caused to the any one of the parties. Therefore, without going to the other details of the case, the writ petition is disposed of with a direction to the first respondent to consider the representation filed by the first petitioner dated 01-06-2007, in accordance with law, after affording an opportunity of being heard to him.

(4). This exercise, the first respondent shall complete, within three

months from today.

Ordered accordingly,

(H.L.DATTU)
CHIEF JUSTICE

(K.T.SANKARAN)
JUDGE

MS